

REMARKS

The present application has 33 claims with Claims 17-24 and 32 withdrawn from consideration due to a restriction requirement. Claims 1-16, 25-31, and 33 are currently pending with Claims 1, 25, and 33 being independent claims. All claims stand rejected.

Claims 1-10 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,045,048 to Irwin in view of U.S. Patent No. 6,390,216 to Sueshige, et al. Irwin was described as teaching, among other things, a mobile device with a steering mechanism including a pair of foot sleds. Sueshige was described as teaching, among other things, a mobile device with a product compartment and a motor.

The Applicant has amended Claim 1 to add the limitations of Claim 5. Specifically, the limitation of a pair of front wheels has been added. Although the use of a pair of front wheels was described as being obvious to one of ordinary skill, such clearly is not obvious in the context of Irwin. More specifically, Irwin shows a cambering vehicle 10 with a single front wheel 24 and a pair of rear wheels 38, 40. The cambering vehicle 10 “is adapted to be manually propelled forwardly by the input of a vehicle operator 12 through the timed shifting of his weight from one foot to the other coordinated with left and right steering of the vehicle in a sinuous path.” *See* col. 3, lines 5-9. The vehicle of Irwin would lose the ability to be propelled forward in this manner if two front wheels were used as opposed to pivoting about the single wheel 24. The Applicant thus respectfully submits that independent Claim 1 and the dependent claims thereon are patentable over the cited references.

The Applicant further traverses the rejection of Claim 2 concerning a base being pivotably attached to the pair of foot sleds. The foot sleds 42, 44 appear to be directly attached to the arms 30, 32.

The Applicant has amended dependent Claim 4 to specify that the poles are separate structures as opposed to the telescoping steering column of Irwin. No such structure is shown in the cited references.

The Applicant has likewise amended independent Claim 33 to recite specifically the use of the separate poles. Specifically, the cooperation of the poles and the sleds is recited. No such structure is shown in the cited references.

Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Irwin in view of Sueshige in view of U.S. Patent No. 6,712,171 to Farmer. The Applicant respectfully traverses the rejection for the reasons described above.

Claims 13 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Irwin in view of Sueshige and further in view of U.S. Patent No. 6,502,656 to Weiss, et al. Weiss was described as teaching a mobile device with a top that is doubly hinged. The Applicant respectfully traverses the rejection for the reasons described above and for the reason that Weiss does not show a double-hinged lid. The Applicant also has amended the claim so as to specify that the lid includes two panels as opposed to the single panel of Weiss.

Claims 15 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Irwin and Sueshige and in further view of U.S. Patent No. 2,812,187 to Nicholl, et al. The Applicant respectfully traverses the rejection for the reasons described above.

Claims 25, 29, and 31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sueshige. Sueshige was described as teaching a mobile devices with a steering means and a

removable product compartment. The Applicant respectfully traverses the rejection. Claim 25 includes the means-plus-function element of the means for the driver to steer the personal transportation vehicle while standing. In the office action, the Examiner stated that more than one such means was described in the specification such that there apparently was no clear indication of which arrangements correspond to the claimed means-plus-function recitation. The Applicant apologizes in that the original response cited to paragraph 52 of the specification. This obviously is in error as paragraph 52 is silent on steering. The correct paragraph is paragraph 53. This paragraph describes in detail the steering means claimed herein. No such means are remotely shown in the reference.

Claim 26 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sueshige in view of Weiss. The Applicant respectfully traverses the rejection for the reasons described above.

Claims 27 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sueshige in view of Nicholl. The Applicant respectfully traverses the rejection for the reasons described above.

Claim 30 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sueshige in view of Farmer. The Applicant respectfully traverses the rejection for the reasons described above.

CONCLUSION

The Applicant believes it has responded to each matter raised in the office action. Allowance of all claims is respectfully solicited. Any questions may be directed to the undersigned at 1.404.853.8028.

Respectfully submitted,



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